

Senate File 39 - Introduced

SENATE FILE _____
BY DANIELSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the modification of property divisions made
2 pursuant to a dissolution of marriage.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1821SS 83
5 pf/nh/24

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1 1 Section 1. Section 598.21, subsection 7, Code 2009, is
1 2 amended to read as follows:
1 3 7. ~~NOT SUBJECT TO LIMITED MODIFICATION.~~
1 4 ~~a. Property With the exception of the provisions specified~~
1 5 ~~in paragraph "b", property divisions made under this chapter~~
1 6 ~~are not subject to modification.~~
1 7 ~~b. The portion of a property division which constitutes an~~
1 8 ~~order intended to be a qualified domestic relations order~~
1 9 ~~affecting pension, profit sharing, or stock bonus plans~~
1 10 ~~pursuant to the United States Internal Revenue Code is~~
1 11 ~~modifiable only for the purpose of establishing or maintaining~~
1 12 ~~the order as a qualified domestic relations order or to revise~~
1 13 ~~or confirm the order's terms as to effectuate the expressed~~
1 14 ~~intent of the order.~~

1 15 EXPLANATION
1 16 This bill allows an exception to the proscription against
1 17 modification of property divisions made under the dissolution
1 18 of marriage and domestic relations chapter. The exception
1 19 provides that the portion of a property division which
1 20 constitutes an order intended to be a qualified domestic
1 21 relations order (QDRO) affecting pension, profit sharing, or
1 22 stock bonus plans is modifiable only for the purpose of
1 23 establishing or maintaining the order as a QDRO or to revise
1 24 or confirm the order's terms as to effectuate the expressed
1 25 intent of the order.
1 26 LSB 1821SS 83
1 27 pf/nh/24